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PROGRAMME BUDGET FOR THE BIENNIUM 1996-1997

HUMAN RESOURCES MANAGEMENT

FINANCING OF THE INTERNATIONAL TRIBUNAL FOR THE PROSECUTION OF PERSONS RESPONSIBLE FOR SERIOUS VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW COMMITTED IN THE TERRITORY OF THE FORMER YUGOSLAVIA SINCE 1991

FINANCING OF THE INTERNATIONAL CRIMINAL TRIBUNAL FOR THE PROSECUTION OF PERSONS RESPONSIBLE FOR GENOCIDE AND OTHER SERIOUS VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW COMMITTED IN THE TERRITORY OF RWANDA AND RWANDAN CITIZENS RESPONSIBLE FOR GENOCIDE AND OTHER SUCH VIOLATIONS COMMITTED IN THE TERRITORY OF NEIGHBOURING STATES BETWEEN 1 JANUARY AND 31 DECEMBER 1994

ADMINISTRATIVE AND BUDGETARY ASPECTS OF THE FINANCING OF THE UNITED NATIONS PEACEKEEPING OPERATIONS

Report of the Fifth Committee

Rapporteur: Mr. Ihor V. HUMENNY (Ukraine)

I. INTRODUCTION

1. At its 3rd plenary meeting, on 20 September 1996, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its fifty-first session the items entitled "Programme budget for the biennium 1996-1997", "Human resources management", "Financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991", "Financing of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations

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of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994" and "Administrative and budgetary aspects of the financing of the United Nations peacekeeping operations" and to allocate them to the Fifth Committee.

2. The Fifth Committee began its consideration of the question of gratis personnel provided by Governments and other entities under agenda items 116, 120, 137, 139 and 140 at its 49th to 51st and 55th meetings, on 11, 12, 17 and 27 March 1997. Statements and observations made in the course of the Committee's consideration of the item are reflected in the relevant summary records (A/C.5/51/SR.49-51 and 55).

3. For its consideration of the items, the Committee had before it the report of the Secretary-General on gratis personnel provided by Governments and other entities (A/51/688 and Corr.1) and the related report of the Advisory Committee on Administrative and Budgetary Questions (A/51/813).

II. CONSIDERATION OF DRAFT DECISION A/C.5/51/L.52

4. At the 55th meeting, on 27 March, the representative of Mexico introduced a draft decision entitled "Gratis personnel provided by Governments and other entities" (A/C.5/51/L.52), which was submitted on behalf of the Chairman following informal consultations.

5. At the same meeting, the Committee adopted draft decision A/C.5/51/L.52 without a vote (see para. 6).

III. RECOMMENDATION OF THE FIFTH COMMITTEE

6. The Fifth Committee recommends to the General Assembly the adoption of the following draft decision:

Gratis personnel provided by Governments and other entities

The General Assembly:

(a) Decides to defer consideration of the report of the Secretary-General on the gratis personnel provided by Governments and other entities[1] and the report of the Advisory Committee on Administrative and Budgetary Questions thereon[2] to the second part of its resumed fifty-first session;

(b) Requests the Secretary-General, on an interim basis, and pending consideration of this question and a final decision thereon:

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[1] A/51/688 and Corr.1.

[2] A/51/813.

(i) Not to expand the number of gratis personnel currently implementing mandated activities mentioned in paragraphs 24 to 40 of his report;[1]

(ii) In the case of new and/or expanded needs implying urgent requirements for expertise not available within the Organization, to resort to the use of gratis personnel with due regard to the importance of maintaining as wide a geographical basis as possible, for a very limited and specified period, and, in order to ensure transparency, to approach all Member States on the possibility of providing that expertise on a temporary basis;

(iii) To review the proposed guidelines annexed to his report[1] and to submit a report thereon to the General Assembly before 12 May 1997 for its consideration during the second part of its resumed fifty-first session;

(iv) To update the information provided in his report, including data on the nationality of gratis personnel and detailed descriptions of the functions entrusted to them, and to report on any change in the use of gratis personnel after 31 October 1996 to the General Assembly at the second part of its resumed fifty-first session;

(v) To submit a comprehensive report before 12 May 1997 on the methodology and level to be applied to the administrative support costs mentioned in paragraphs 51 to 66 of his report,[1] including their legislative basis, and, in the interim, to maintain the status quo in this regard.

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[1] A/51/688 and Corr.1, annex I.